

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID C. ARNDT

Criminal No. 04-CR-10166-RGS

**ASSENTED TO MOTION OF THE DEFENDANT, DAVID C. ARNDT
FOR A CONTINUANCE
OF THE SENTENCING DATE FROM OCTOBER 20, 2005 TO JANUARY 18, 2006**

The Defendant, David Arndt ("Dr. Arndt"), moves for a continuance of his sentencing date from October 20, 2005 to January 18, 2006 for the following reasons:

1. The Plea Agreement requires Dr. Arndt to provide the government, no later than sixty days prior to sentencing, his expert's report regarding his mental condition. Dr. Arndt's expert has been diligently conducting his evaluation, but his report will not be completed until sometime during the second week of November, 2005.

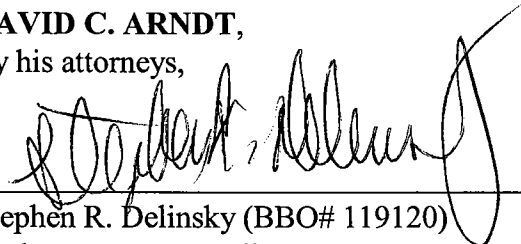
2. The government and the defense are having discussions about the implications of the sentence calculations in the Initial Pre-Sentence Report that could result in a hearing before the Court regarding the status of Dr. Arndt's plea of guilty. The parties discussions and the obtaining of certain additional information will require more time to complete.

The government has assented to this motion and for the reasons set forth herein the Defendant requests the Court to grant a continuance of the sentencing date to January 18, 2006.

Respectfully submitted,

DAVID C. ARNDT,

By his attorneys,

Handwritten signatures of Stephen R. Delinsky and Andrew R. McConville, written in black ink over a horizontal line.

Stephen R. Delinsky (BBO# 119120)

Andrew R. McConville (BBO# 632804)

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DATED: September 21, 2005